

Rory T. Kay, Esq. (NV Bar No. 12416)
 Tara U. Teegarden, Esq. (NV Bar No. 15344)
 McDONALD CARANO LLP
 2300 West Sahara Avenue, Suite 1200
 Las Vegas, Nevada 89102
 Telephone: 702-873-4100
rkay@mcdonaldcarano.com
tteegarden@mcdonaldcarano.com

Benjamin S. White (CA Bar No. 279796)
Pro Hac Vice Application Granted
 IPLA, LLP
 4445 Eastgate Mall, Suite 200
 San Diego, California 92121
 Telephone: 858-272-0220
bwhite@ipla.com

Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA**

V SHRED, LLC,

Plaintiff,

v.

GRAVITY TRANSFORMATION LLC, a
 Texas company, and GEORGE
 PERELSHTEYN, an individual,

Defendants.

Case No.: 2:21-cv-01344-JCM-VCF

**STIPULATION AND ORDER TO
 EXTEND DISCOVERY DEADLINES**

[SECOND REQUEST]

Plaintiff V SHRED, LLC (“Plaintiff”) and Defendants GRAVITY
 TRANSFORMATION LLC and GEORGE PERELSHTEYN (collectively “Defendants” and
 together with Plaintiff, “Parties”), by and through their attorneys, and pursuant to LR IA 6-1 and
 26-3, submit the following Stipulation to Extend Time to Take Discovery up to and including
 September 30, 2022. In support of the Stipulation, the Parties state the following:

1. Statement Specifying the Discovery Completed. Defendants have served their
 First Set of Requests for Production of Documents and their First Set of Interrogatories. Plaintiff
 served its responses to Defendant’s First Set of Requests for Production of Documents and First
 Set of Interrogatories. Plaintiff has served its First Set of Interrogatories, its First Set of Requests

1 for Production of Documents, its First Set of Requests for Admissions, and has noticed the
2 Deposition of Defendant. Plaintiff has served two document productions with its Supplemental
3 Responses to Defendant's First Set of Requests for Production of Documents and its
4 Supplemental Responses to its Initial Disclosures. Plaintiff has additional document productions
5 forthcoming. Defendants' document productions are forthcoming.

6 2. Description of the Discovery That Remains to be Completed. Plaintiff will need
7 to take Defendant Gravity Transformation LLC's 30(b)(6) deposition and Defendant George
8 Perelshteyn's deposition and disclose expert witnesses. Plaintiff will also supplement its
9 discovery responses. Defendants will respond to Plaintiff's discovery requests, and Defendants
10 will be seeking the deposition of Plaintiff's 30(b)(6) representative and other plaintiff witnesses,
11 including without limitation the author(s) of the copyrighted work that is the subject of this
12 action. Defendants will also be subpoenaing documents and taking the deposition of third-parties
13 whose content they allege Plaintiff copied and copyrighted. Defendant will be disclosing expert
14 witnesses regarding the scope of the work protectable under copyright, scenes a fair, and prior
15 works baring the enforceability of Plaintiff's copyrights in this action, as well as an expert on
16 applicable damages. The Parties will seek to depose all experts and may disclose rebuttal experts
17 as well, which the Parties will then depose.

18 3. The Reasons why Discovery was not Completed Within the Time Limits. Good
19 cause exists, pursuant to LR 26-3 and LR 26-3(c). In an attempt to avoid the costs and expense
20 of complex copyright infringement and revocation litigation and discovery, the Parties engaged
21 in several rounds of settlement discussions during the discovery period. Such efforts proved
22 unsuccessful. The Parties then reached agreement on a discovery schedule and protective order
23 and this court entered a stipulated protective order. In March 2022, Plaintiff then propounded
24 discovery on Defendants and thereafter provided copies of their written responses to Defendant's
25 discovery requests which were apparently not received due to a clerical error; however, by that
26 time Defendant's undersigned counsel was in final preparations for a complex and extensive
27 trial. As such, Defendants have been unable to have the representation of counsel prior to the
28 deadline for responses to discovery which would otherwise necessitate a motion for a protective

order and to extend discovery in the absence of this stipulation of the Parties. Additionally, Plaintiff's counsel has been on paternity leave requiring additional time to complete discovery responses which would otherwise necessitate a motion for a protective order and to extend discovery in the absence of this stipulation of the Parties. The current discovery deadline of July 29, 2022, is now inadequate to provide the time required to complete discovery in this complex matter for either party. Absent this requested amendment, both Parties would be prejudiced, as the Parties need to extend discovery deadlines to complete discovery, including the disclosure and deposition of several experts. To streamline this process, as discussed herein, the Parties propose permitting the disclosure and deposition of experts and rebuttal experts after the completion of fact discovery to give their respective experts the benefit of all factual discovery.

4. A Proposed Schedule for Completing All Remaining Discovery. Currently, the Discovery Cut-off Date is Friday, July 29, 2022; the expert disclosure deadline is Monday, August 29, 2022; the rebuttal expert disclosure deadline is Wednesday, September 28, 2022; the deadline to take expert depositions is Friday, October 28, 2022; the dispositive motions deadline is Monday, November 28, 2022; the Pretrial Order deadline is Wednesday, December 28, 2022. The Parties propose the following dates:

A. The fact Discovery Cut-off Date shall be Friday, September 30, 2022;

B. The expert disclosure deadline shall be Monday, October 31, 2022, thirty-one (31) days after the discovery cut-off date of September 30, 2022, as the 30th day falls on a Sunday;

C. The rebuttal expert disclosure deadline shall be Wednesday, November 30, 2022, thirty (30) days after the deadline to disclose initial experts, in accordance with LR 26-1(b)(3);

D. The Parties shall have until Friday, December 30, 2022, to take the depositions of the experts, thirty (30) days after the deadline to disclose rebuttal experts;

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1 E. The dispositive motions deadline shall be Monday, January 30, 2023,
2 thirty-one (31) days after the deadline to take depositions of the experts on December 30,
3 2022, as the 30th day falls on a Sunday;

4 5. The Pretrial Order deadline shall be Wednesday, March 1, 2023, thirty (30) days
5 after the deadline for filing dispositive motions, in accordance with LR 26-1(b)(5).

6 6. This is the second request to extend time to take discovery, but a stipulation for
7 extension of time for Defendants to file their responsive pleading was filed on and granted on
8 August 18, 2021.

9 7. This request for an extension of time is not intended to cause any undue delay or
10 prejudice any party.

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8. Therefore, the Parties hereby stipulate to extend the deadlines for discovery as outlined above.

Dated July 15, 2022.

MCDONALD CARANO LLP

By: /s/ Tara U. Teegarden
Rory T. Kay (NSBN 12416)
Tara U. Teegarden (NSBN 15344)
2300 West Sahara Avenue, Suite 1200
Las Vegas, Nevada 89102
rkay@mcdonaldcarano.com
tteegarden@mcdonaldcarano.com
Attorneys for Plaintiff

Dated July 15, 2022.

WEIDE & MILLER, LTD.

By: /s/ F. Christopher Austin
F. Christopher Austin (NSBN 6559)
10655 Park Run Drive, Suite 100
Las Vegas, NV 89144
caustin@weidemiller.com
Attorneys for Defendants

Dated July 15, 2022.

IPLA, LLP

By: /s/ Benjamin S. White
Benjamin S. White
(CA Bar No. 279796)
Pro Hac Vice Application Granted
4445 Eastgate Mall, Suite 200
San Diego, California 92121
bwhite@ipla.com
Attorneys for Plaintiff

IT IS SO ORDERED:



UNITED STATES MAGISTRATE JUDGE

Dated this 18th day of July 2022.